

**CLASS DETERMINATION AND FINDINGS**  
**FOR**  
**EMERGENCY PROCUREMENTS**

**PROGRAM AGENCY:**                **Department of Public Works (DPW)**  
   **District Department of Transportation (DDOT)**

**CAPTION:**                        **Graffiti Removal Services**

**PROPOSED CONTRACTOR:** **Clean City, LLC**

**FINDINGS**

**1.     Authorization:**

D.C. Official Code Section 2-354.05 and 27 DCMR Section 1702

**2.     Minimum Need:**

The Office of Contracting and Procurement (OCP) on behalf of the Department of Public Works (DPW)/Solid Waste Management Administration (SWMA) and District Department of Transportation (DDOT) has an immediate need of Graffiti Removal Services. The Contractor needs to provide all labor, materials, supplies, tools, equipment and transportation necessary to perform graffiti removal services to public and private properties located through the district on an as needed basis on second, third story buildings, bridges and overhanding road signs. The services shall include, but not limited to pressure washing, chemical removal and painting.

**3.     Estimated Fair and Reasonable Cost:**

Not to exceed amount is \$100,000.00

**4.     Facts that Justify an Emergency Procurement:**

- A.     Previously, The District had a BPA not to exceed \$100,000.00 with Ultimate Services for Graffiti Removal. While the BPA was in Option Year three (3), SWMA decided not to renew and to rebid the services, resulting in the BPA ending June 29, 2019.
- B.     Prior to the BPA ending, SWMA provided a SOW with revised requirements, to include, bridges and varying heights for Graffiti Removal services. On April 12, 2019, OCP issued Solicitation No. Doc437658 to open market with twenty-six (26) vendors invited. The solicitation closed April 30, 2019 with five (5) bid respondents. The solicitation was cancelled September 12, 2019, because

a new solicitation with revised requirements to include both DDOT and SWMA's needs will be prepared and issued in fiscal year 2020. The anticipated contract will have a minimum of a million dollar contract ceiling.

- C. From October 1, 2019 to December 29, 2019 an emergency procurement was established to cover Graffiti Removal Services while there was no contract in place. Since the end of the emergency procurement, requirements have changed to combine DDOT and SWMA's needs. A new solicitation will be issued to reflect both agencies current and anticipated needs.
- D. SWMA is currently without a contract mechanism to absorb the 135 Graffiti Removal Service tickets. As such, an emergency procurement is requested to cover these services for the next 60 days, with the option to extend for an additional 30 days, affording time to prepare and re-issue a new solicitation.

**5. Certification of Agency Head:**

I hereby certify that the above findings are correct and complete to the best of my knowledge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Christopher Geldart, Director  
Department of Public Works

**6. Certification of Contracting Officer:**

I hereby certify that the above findings are correct and complete to the best of my knowledge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tonia C. Nixon  
Deputy Chief Contracting Officer

**DETERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that emergency circumstances exist and the District is justified in using the emergency method of procurement under Section 405 of the Procurement Practices Reform Act of 2010.

\_\_\_\_\_  
Date

\_\_\_\_\_  
George A. Schutter, III  
Chief Procurement Officer  
Office of Contracting & Procurement